

DEC 21 2004

BEFORE THE DEPARTMENT OF INSURANCE
STATE OF NEBRASKA

FILED

STATE OF NEBRASKA)	CAUSE NO.: A-1603
DEPARTMENT OF INSURANCE,)	
)	
PETITIONER,)	
)	FINDINGS OF FACT,
vs.)	CONCLUSIONS OF LAW,
)	RECOMMENDED ORDER AND
RITA V. HANSON ,)	ORDER
)	
RESPONDENT.)	

This matter came on for hearing on the 14th day of December, 2004, before Janette L. Adair, a hearing officer duly appointed by the Director of the Nebraska Department of Insurance. The Nebraska Department of Insurance ("Department") was represented by its attorney, Michael C. Boyd. Rita V. Hanson ("Respondent") was not present and was not represented by counsel. The Rules of Evidence were not requested and the hearing was governed accordingly. The proceedings were tape recorded by Tracy Gruhn, a licensed Notary Public. Testimony was provided by Beverly Creager, Administrator of the Producer Licensing Division. Evidence in the form of exhibits was introduced and the matter taken under advisement. As a result of the hearing, the hearing officer makes the following Findings of Fact, Conclusions of Law, and Recommended Order.

FINDINGS OF FACT

1. Respondent is a licensed resident insurance producer whose registered address with the Department is 1505 Sage Street, Apt. 8, Gering, NE 69341. (Ex. 1).
2. The Department is the agency of the State of Nebraska charged with licensing insurance producers.

3. On or about November 17, 2004, the Petition and Notice of Hearing were served upon Respondent by mailing the same to her address of record by certified mail, return receipt requested. On or about November 26, 2004, Respondent received the certified mail as evidenced by the signed certified mail return receipt attachment to Exhibit 1.

4. Beverly Creager, Administrator of the Producer Licensing Division, sent a letter to Respondent on or about June 25, 2004 requesting Respondent respond to the Department's questions regarding a felony criminal conviction that was set aside by the District Court of Scottsbluff County, Nebraska. (Ex. 6).

5. Respondent did not respond to the June 25, 2004 letter within the statutory time of fifteen working days.

6. On or about August 9, 2004, Beverly Creager, Administrator of the Producer Licensing Division sent a follow-up letter to Respondent, via certified mail return receipt, requesting a response within fifteen working days. (Ex. 7).

7. Respondent received the August 9, 2004 letter on August 14, 2004, as evidenced by a copy of the signed certified mail return receipt. (Ex. 8)

8. Respondent did not respond to the August 9, 2004 letter within the statutory time of fifteen working days.

9. To date, the Department has not received a response to either letter.

CONCLUSIONS OF LAW

1. The Department has jurisdiction and control over the licensing of Respondent to sell insurance in the State of Nebraska pursuant to *Neb. Rev. Stat. §44-4041 et seq.*

2. The Department has personal jurisdiction over Respondent.

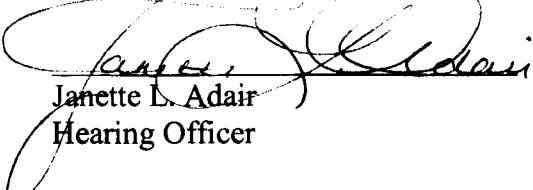
3. Respondent violated *Neb. Rev. Stat.* §44-4059(1)(b) on two occasions when she failed to respond to the Department's requests within fifteen working days as required by *Neb. Rev. Stat.* §44-1525(11).

RECOMMENDED ORDER

Based on the Findings of Fact and Conclusions of Law, it is recommended that Respondent pay an administrative fine of \$500.00 and that her insurance producer's license be suspended until she provides a satisfactory written response to the inquiry letters from the Department's Producer Licensing Division.

Dated this 20th day of December, 2004.

STATE OF NEBRASKA
DEPARTMENT OF INSURANCE



Janette L. Adair
Hearing Officer

CERTIFICATE OF ADOPTION

I have reviewed the foregoing Findings of Fact, Conclusions of Law, and Recommended Order and hereby certify that the Recommended Order is adopted as the official and final Order of this Department in the matter of State of Nebraska Department of Insurance v. Rita V. Hanson, Cause No. A-1603.

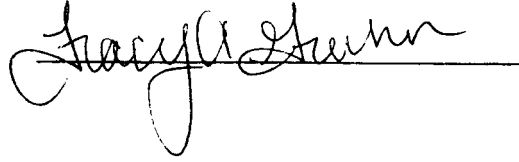
Dated this 21st day of December, 2004.

STATE OF NEBRASKA
DEPARTMENT OF INSURANCE


L. TIM WAGNER
Director of Insurance

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Findings of Fact, Conclusions of Law, Recommended Order and Order was served upon the Respondent by mailing a copy to Respondent at 1505 Sage Street, Apt. #8, Gering, NE 69341 by certified mail, return receipt requested and by U.S. Mail, postage prepaid, on this 22nd day of December, 2004.

A handwritten signature in cursive script, reading "Tracy A. Gehrman", is written over a horizontal line.